



IFW

PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number 10/608,502  
Filing Date June 30, 2003  
First Named Inventor ENGELEN ET AL.  
Examiner Name  
Art Unit 2753  
Attorney Docket No. 011210-0304563

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

033975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Multiple Dependent	-20** =	-3** =		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

## SUBMITTED BY

Name (Print/Type) Christine H. McCarty Registration No. (Attorney/Agent) 41844 Telephone (703) 905-2143  
Signature Date August 30, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

ENGELN et al.

Application No. 10/608,502

Filed: June 30, 2003

Attorney Dkt. No. 011210-0304563

Confirmation No. 8655

Group Art Unit: NOT ASSIGNED

Examiner: NOT ASSIGNED

FOR: METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER

August 30, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: OFFICE OF PETITIONS

**REQUEST FOR RECONSIDERATION OF DECISION ON PETITION**

Sir:

In reply to the Decision on Petition dated July 26, 2004 (copy enclosed), Applicants respectfully submit that the complete application papers filed on June 30, 2003 were in fact submitted along with the Applicants' Petition filed June 28, 2004. Moreover, the complete application papers submitted included a copy of the specification for the above-identified reissue application that was deposited in the United States Patent and Trademark Office (PTO) on June 30, 2003.

As evidenced by the enclosed copy of the June 28, 2004 PTO date stamped receipt, Applicants' Petition included a complete copy of the June 30, 2003 filing including a June 30, 2003 PTO date stamped postcard. As evidenced by the enclosed copy of the June 30, 2003 PTO date stamped post card receipt, a Reissue Patent Application Transmittal, along with *the specification, including claims of the patent for which reissue is requested (in double column format pursuant to 37 C.F.R. §1.173(a)(1))*, a facsimile copy of the executed Reissue Declaration, a Preliminary Amendment and Statement Pursuant to 37 C.F.R. § 1.173(s) and Application Data Sheet, are indicated as having been received by the PTO. For convenience, Applicants also provide herewith a complete copy of Applicants' June 28, 2004 filing that includes a second complete copy of Applicants' June 30, 2003 filing.

*ENGELLEN et al.*  
*Application No. 10/608,502*

Applicants respectfully submit that they have established receipt in the PTO of the specification and request that the application be granted a filing date of June 30, 2003.

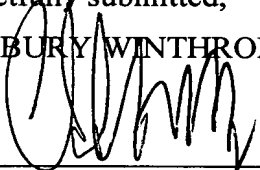
Applicants respectfully submit that the reissue application specification is a copy of U.S. Patent No. 6,423,477 that includes 5 total pages (1 page Abstract and 4 pages Specification and Claims) as evidenced by the June 30, 2003 PTO date stamped post card receipt.

Applicants authorize the Commissioner to charge the requisite \$130 petition fee under 37 C.F.R. §1.17(h) to our Deposit Account No. 03-3975 under Order No. 11210/304563. However, it is respectfully submitted that the petition fee be refunded since the specification was in fact received by the PTO.

Early and favorable consideration is respectfully requested.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

By: \_\_\_\_\_

  
Christine H. McCarthy  
Reg. No.: 41,844  
Tel. No.: (703) 905-2143  
Fax No.: (703) 905-2500

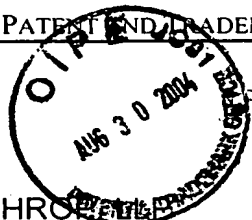
CHM/IGS  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000

Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov



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PILLSBURY WINTHROP LLP/VA

JUL 27 2004

PILLSBURY WINTHROP LLP  
P.O. BOX 10500  
MCLEAN VA 22102

COPY MAILED

JUL 26 2004

In re Application of  
Thomas Wilhelmus Engelen et al.  
Application No. 10/608,502  
Deposited: June 30, 2003  
Attorney Docket No. P304563-WIT/P58129US

CL 211210  
ATTY(S) J.P. CHA 634563  
FILED September 26 2004  
FILED BY (1) [signature] (2) LMS

OFFICE OF PETITIONS

DECISION ON  
PETITION

This is a decision on the petition filed June 28, 2004 under 37 CFR 1.53 to accord a filing date.

Application papers in the above-identified application were deposited June 30, 2003. However, on June 1, 2004, the Office of Initial Patent Examination mailed a "Notice of Incomplete Nonprovisional Application," notifying applicant that the application had not been accorded a filing date because a complete specification with at least one claim, as prescribed by 35 U.S.C. 112 was missing.

In response to the Notice mailed June 1, 2004, petitioner properly proffered a copy of a date stamped return receipt which corroborated petitioners assertion that the application had been filed with a four (4) page specification, (at least one claim was included in the proffered specification).

Based on petitioners' representations it appears that the specification and drawings were present in the Office on June 30, 2003. However, as required, copies of the complete application papers filed on June 30, 2003 are not filed with the instant petition. Thus, the petition is **DISMISSED** without prejudice to reconsideration because petitioners have not supplied a copy of the specification filed on June 30, 2003. The specification submitted with the petition is not four (4) pages in length as indicated on the postcard receipt. Petitioners must supply copies of the specification with a renewed petition.

Any request for reconsideration should be filed within **TWO MONTHS** of the date of this decision in order to be considered timely. This time period may not be extended pursuant to 37 CFR 1.136. The application will be retained in the Office of Petitions for **TWO (2) MONTHS** to await petitioner's reply to this decision. If no response is received within two (2) months, the application will be forwarded to the Office of Initial Patent Examination for further processing as an incomplete application.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX: (703) 872-9306  
Office of Petitions

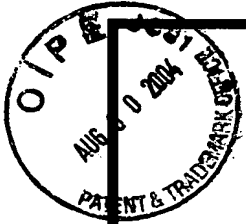
Telephone inquiries regarding this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497. Also, effective September 28, 2004, the telephone number for the Office of Petitions will change to (517) 272-3282.

*Patricia Faison-Ball*  
Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

COPY

COPY

10



**RECEIPT FROM PTO FOR INDICATED ITEMS**

(Do NOT Use for New or Continuing Applications of Any Kind)  
Use 2 postcards for all New Applications ( including cont/Div/CIP)  
Use this sheet when filing CPA or RCE

Appln. No: 10/608,502	Atty: Christine H. McCarthy/IGS:rsp
First Inventor: ENGELEN et al.	Date: June 28, 2004
Title: A METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER	Attorney Docket No: 011210-0304563

**ENCLOSED:**

- ☒ PETITION TO THE COMMISSIONER
- ☒ EXECUTED STATEMENT OF OWNERSHIP PER 37 CFR 3.73,  
CONSENT OF ASSIGNEE TO REISSUE AND OFFER TO SURRENDER  
ORIGINAL PATENT
- ☒ COMPLETE COPY OF JUNE 30, 2004 FILING,  
INCLUDING PTO DATE-STAMPED POSTCARD
- ☒ FEE TRANSMITTAL



\$  Total Fee Charged to Deposit Account

OTHER:

CURRENT DUE DATE:



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**130.00****Complete if Known**

Application Number	10/608,502
Filing Date	June 30, 2003
First Named Inventor	ENGELEN ET AL.
Examiner Name	
Art Unit	2753
Attorney Docket No.	011210-0304563

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

033975

PILLSBURY WINTHROP LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Total Claims	Extra Claims	Fee from below	Fee Paid
Independent		-20** =	X	
Multiple Dependent		-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid
1204	86	2204 43 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
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1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
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1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
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1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00****SUBMITTED BY**

Name (Print/Type) Christine H. McCarthy

Registration No.  
(Attorney/Agent)

41844

(Complete if applicable)

Telephone (703) 905-2143

Signature

Date June 28, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION

ENGELN et al.

Application No. 10/608,502

Filed: June 30, 2003



Attorney Dkt. No. 011210-0304563

Confirmation No. 8655

Group Art Unit:

Examiner:

FOR: METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

ATTENTION: OFFICE OF PETITIONS

Sir:

**PETITION TO THE COMMISSIONER**

In reply to the Notice to Incomplete Reissue Application dated June 1, 2004 (copy enclosed), Applicants respectfully submit that the specification for the above-identified reissue application was in fact deposited in the United States Patent and Trademark Office (PTO) on June 30, 2003.

As evidenced by the enclosed copy of the PTO date stamped post card receipt, a Reissue Patent Application Transmittal, along with *the specification, including claims of the patent for which reissue is requested (in double column format pursuant to 37 C.F.R. §1.173(a)(1))*, a facsimile copy of the executed Reissue Declaration, a Preliminary Amendment and Statement Pursuant to 37 C.F.R. § 1.173(s) and Application Data Sheet, are indicated as having been received by the PTO. For convenience, Applicants also provide herewith a complete copy of Applicants' June 30<sup>th</sup> filing.

Applicants respectfully submit that they have established receipt in the PTO of the specification and request that the application be granted a filing date of June 30, 2004.

Applicants authorize the Commissioner to charge the requisite \$130 petition fee under 37 C.F.R. §1.17(h) to our Deposit Account No. 03-3975 under Order No. 11210/304563. However, it is respectfully submitted that the petition fee be refunded since the specification was in fact received by the PTO.

ENGELLEN *et al.*  
Application No. 10/608,502

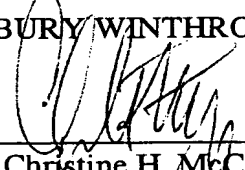
**SUBMISSION OF STATEMENT OF OWNERSHIP PER 37 C.F.R. § 3.73,**  
**CONSENT OF ASSIGNEE TO REISSUE**  
**AND OFFER TO SURRENDER ORIGINAL PATENT**

Further, in response to the Notice to Incomplete Reissue Application mailed June 1, 2004, Applicants submit herewith a fully executed Statement of Ownership per 37 C.F.R. § 3.73, Consent of Assignee to Reissue and Offer to Surrender Original Patent are submitted herewith in compliance with 37 CFR §1.84 and 37 C.F.R. §1.121, in connection with the above-identified application.

Early and favorable consideration is respectfully requested.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

By: \_\_\_\_\_

  
Christine H. McCarthy  
Reg. No.: 41,844  
Tel. No.: (703) 905-2143  
Fax No.: (703) 905-2500

Dated: June 28, 2004

P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE

☒ PATENT

☐ PATENT APPLICATION

OF INVENTOR(S): ENGELN et al.

No. 6,423,477

ISSUED: July 23, 2002

FILED: June 26, 2000

TITLE: METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER

GROUP ART UNIT:

1756

EXAMINER:

McPHERSON, John A.

**STATEMENT OF OWNERSHIP PER 37 C.F.R. § 3.73,**  
**CONSENT OF ASSIGNEE TO REISSUE AND OFFER TO SURRENDER ORIGINAL PATENT**

**Mail Stop REISSUE**

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned, being the 100% assignee of record of all rights, title and interest in the subject case as evidenced by:

1. ☒ the chain of title from the inventor(s) to the undersigned as recorded on:

1. Date	<u>June 26, 2000</u>	, Reel	<u>010902</u>	, Frame	<u>0523</u>
2. Date	_____	, Reel	_____	, Frame	_____
3. Date	_____	, Reel	_____	, Frame	_____

and/or as evidenced by:

2. ☒ the attached copy of an Assignment

a. ☐ unrecorded

b. ☒ filed on March 28, 2003 for recordation in the USPTO.

hereby consents to:

3. ☒ the reissue of the subject patent and offers to surrender the original patent.

4. ☐ changing the statement of inventorship of the subject case by

a. ☐ addition ☐ deletion of the following inventor(s)

LIST

1. _____	4. _____
2. _____	5. _____
3. _____	6. _____

The undersigned person hereby states that he/she is empowered to sign this document on behalf of assignee.

OTB Group B.V.

Assignee

By

Name: Ronaldus, Johannes, Cornelis, Maria KOK

Title: President

Date July 09, 2003



PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: New Reissue of USPN 6423477

Inventor(s) ENGELLEN ET AL.

Title: Method of Manufacturing a Stamper...

Atty \_\_\_\_\_

Date 06/30/03

C# 008895

M# 0304563

ENCLOSED:

☐ Amendment ☐ Appendix ☐ Cover sheet

# 1 No. of Pages Abstract

# 4 No. of Pages Spec and Claims

# 11 No. of numbered Claims only

☒ Reissue Declaration (4 #pgs)

☐ Assignment ☐ Cover Sheet

# 1 No. of Priority Document

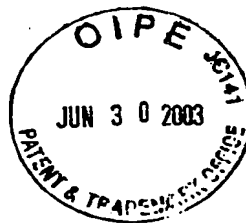
#     No. Sheets Drawings (Fig(s) 1 to    ) ☐ 1 set Formal

☐ IDS Letter ☐ cited Appl(s) ☐ Foreign sch rept./OA

☐ PTO-1449 ☐ cited docs.

\$ 750.00 To be charged to Dep. Acct. No. 03-3975

NOTE: SPECIFICATION IS A COPY OF USPN 6423477



CURRENT DUE DATE: \_\_\_\_\_

PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: New Reissue of USPN 6423477

Inventor(s) ENGELLEN ET AL.

Title: Method of Manufacturing a Stamper...

Atty JSB/AJM

Date 06/30/03

C# 008895

M# 0304563

ENCLOSED:

☐ Amendment ☐ Appendix ☐ Cover sheet

# 1 No. of Pages Abstract

# 4 No. of Pages Spec and Claims

# 11 No. of numbered Claims only

☒ Reissue Declaration (4 #pgs)

☐ Assignment ☐ Cover Sheet

# 1 No. of Priority Document

#     No. Sheets Drawings (Fig(s) 1 to    ) ☐ 1 set Formal

☐ IDS Letter ☐ cited Appl(s) ☐ Foreign sch rept./OA

☐ PTO-1449 ☐ cited docs.

\$ 750.00 To be charged to Dep. Acct. No. 03-3975

NOTE: SPECIFICATION IS A COPY OF USPN 6423477

17858 U.S. PTO  
10/608502



CURRENT DUE DATE: \_\_\_\_\_

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

Assistant Commissioner for Patents  
Box Reissue  
Washington, DC 20231



Attorney Docket No.	P304563-WIT/P58129US00
First Named Inventor	Thomas Wilhelmus Engelen
Original Patent Number	6,423,477
Original Patent Issue Date (Month/Day/Year)	07/23/2002
Express Mail Label No.	

APPLICATION FOR REISSUE OF:  
(Check applicable box)

☒ Utility Patent

☐ Design Patent

☐ Plant Patent

### APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/56)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent  
format (amended, if appropriate)
4. ☐ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)  
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☐ Power of Attorney
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No  
(If Yes, check applicable box(es))
  - ☐ Written Consent of all Assignees (PTO/SB/53)
  - ☐ 37 C.F.R. § 3.73(b) Statement  
(PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix)  
or large table
9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all of the following are necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

10. ☒ Statement of status and support for all changes  
to the claims. See 37 CFR 1.173 (c).
11. ☐ Original U.S. Patent for surrender
  - ☐ Ribbonded Original Patent Grant
  - ☐ Statement of Loss (PTO/SB/55)
12. ☒ Foreign Priority Claim (35 U.S.C. 119)  
(if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
14. ☐ English Translation of Reissue Oath/Declaration  
(if applicable)
15. ☒ Preliminary Amendment
16. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
17. Other: \_\_\_\_\_

### 18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 00909 or ☐ Correspondence address below  
(Insert Customer No. or Attach bar code label here)

Name					
Address				Zip Code	
City		State		Fax	
Country			Telephone		

NAME (Print/Type)	Jack S. Barufka	Registration No. (Attorney/Agent)	37087
Signature		Date	06/30/2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

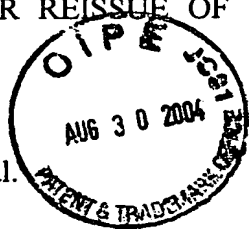
In re APPLICATION FOR REISSUE OF  
U.S. Patent 6,423,477

Granted: July 23, 2002

INVENTORS: Engelen et al.

Appln. No.: 09/529,011

Original Application Filed: June 26, 2000



Group Art Unit: 1756

Examiner: McPherson, J.

Title: METHOD OF MANUFACTURING A STAMPER FOR PRODUCING  
OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC  
OBTAINED BY USING SUCH A STAMPER

June 30, 2003

\* \* \* \* \*

**PRELIMINARY AMENDMENT AND**  
**STATEMENT PURSUANT TO 37 C.F.R. § 1.173(c)**

Mail Stop Reissue  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to the examination of this application for reissue of U.S. Patent No. 6,423,477,  
please amend the application as follows.

**IN THE SPECIFICATION:**

**On page 1, column 1, below the title, please insert the following text:**

This application is the National Phase of International Application No. PCT/NL98/00576, which was filed on October 7, 1998 and was published in English under Article 21(2).

REMARKS

Claims 1-11 are pending in this application for reissue of U.S. Patent No. 6,423,477. By this amendment, Applicants have amended the first sentence of the specification to recite domestic priority information, as required by 37 C.F.R. § 1.78(a)(2). Additionally, in an amendment physically incorporated into the reissue application specification, Applicants have amended claim 1 to remove the phrase "heating the photoresist film;" (that phrase is found at column 7, line 7).

Support for the amendment to claim 1 can be found, *inter alia*, in the examples of column 4, line 65 through column 6, line 64 of the specification. More particularly, support can be found in the table in column 5, lines 13-23, describing the process parameters for example 1. None of those examples require heating the photoresist film after development but before additional exposure.

Early and favorable action on this reissue application are respectfully requested. If any questions arise, the Examiner is invited to contact the undersigned.

Respectfully submitted,

Pillsbury Winthrop LLP

By: 

Jack S. Barufka

Reg. No.: 37087

Tel. No.: (703) 905-2012

Fax No.: (703) 905-2500

JSB\AM  
1600 Tysons Boulevard  
McLean, VA 22102  
(703) 905-2000

Attorney Docket No. 008895-0266945  
Client Reference: WIT/P58129US00



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application for reissue U.S. Patent No. 6,423,477 of THOMAS WILHEMUS ENGELEN et al.

Application No.: 09/529,011  
Filed: June 26, 2000

Confirmation No: 8634  
Group No.: 1756  
Examiner McPherson, J.

For: A METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS,  
A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH  
A STAMPER

June 30, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICATION DATA SHEET**  
37 C.F.R. § 1.76

**BIBLIOGRAPHIC DATA**

**1. Applicant information**

First applicant: THOMAS WILHEMUS ENGELEN  
Citizenship: THE NETHERLANDS  
Residence: Alkmaar, The Netherlands  
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Address 3: The Netherlands

Second applicant: WALTER T.M. STALS  
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Address 3: The Netherlands

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Citizenship: THE NETHERLANDS  
Residence: Helmond, The Netherlands  
Address 1: Kalmoesbeek 2  
Address 2: 5709 PV Helmond  
Address 3: The Netherlands

## **2. Correspondence information**

Correspondence for this application should be addressed as follows:

Pillsbury Winthrop LLP  
P.O. Box 10500  
McLean, VA 22102

Customer No.: 00909

## **3. Application information**

Title of Invention: A METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER

Docket number assigned to this application: 008895-0304563

Suggested Classification: Class: 430  
Subclass: 321

Technology Center to which subject matter is assigned: 1756

Total number of drawing sheets: 0

Type of application:  
Reissue

## **4. Representative information**

The following have a power of attorney or authorization of agent in this application:

The practitioners associated with Customer No.: 00909

## **5. Domestic Priority information**

The patent for which reissue is sought is the National Phase of International Application No. PCT/NL98/00576, filed on October 7, 1998.

## **6. Foreign priority information**

Foreign priority is claimed as follows:

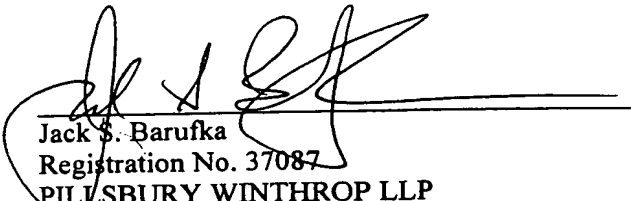
Country: The Netherlands  
Application No.: 1007216  
Filing Date: October 7, 1997



**7. Assignee information**

The assignee of the patent for which reissue is sought is:

OTB Group B.V.  
Luchthavenweg 10  
5657 EB Eindhoven, The Netherlands  
Extent of interest of assignee: entire



Jack S. Barufka  
Registration No. 37087  
PILLSBURY WINTHROP LLP  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2012

Customer No. 00909



PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

**Complete if Known**

Application Number	09/529,011 (U.S. Patent No. 6,423,477)
Filing Date	June 26, 2000
First Named Inventor	THOMAS WILHEMUS ENGELEN
Examiner Name	McPherson, J.
Art Unit	1756
Attorney Docket No.	008895-0304563

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

033975

PILLSBURY WINTHROP LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	750.00
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 750.00)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	11	-20** =	0	X		=	0
Independent Claims	1	X 1** =	0	X		=	0
Multiple Dependent		-1**				=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

Name (Print/Type)

Jack S. Barufka

Registration No.  
(Attorney/Agent)

37087

(Complete if applicable)

Telephone

(703) 905-2012

Signature

Date

June 30, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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# REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

P266945-WIT/P58129US00

As a below named inventor, I hereby declare that:  
 My residence, mailing address and citizenship are stated below next to my name.  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number G 423,477, granted July 23, 2002, and for which a reissue patent is sought on the invention entitled METHOD OF MANUFACTURING A STAMPER FOR PRODUCING OPTICAL DISCS, A STAMPER THUS OBTAINED AND AN OPTICAL DISC OBTAINED BY USING SUCH A STAMPER  
 the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as reissue application number \_\_\_\_\_

and was amended on \_\_\_\_\_  
 (if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

This is a broadening reissue. In the granted patent, claim 1 recites "structuring (x) photoresist film...including, in order...heating the photoresist film" after developing the photoresist film and before an additional exposure task. However, the invention does not require heating the photoresist film after development and before the additional exposure task. For example, please see the examples in column 4, line 65, through column 6, line 64 of the specification and, particularly, the table extending from line 13 to line 23 in column 6. I therefore, the patentee erroneously claimed less than he had the right to claim in the patent.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.176. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEE OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
P266946-WIT/P58128US00

All errors connected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) \_\_\_\_\_ Registration Number \_\_\_\_\_  
The practitioners associated with Customer Number 00909

Correspondence Address: Direct all communications about the application to:

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Individual Name

Address

Address

City

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Telephone

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name) Thomas Wilhelmus Engelen

Inventor's signature

Date -X- 6-6-2003

Residence  
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Citizenship  
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Mailing Address  
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Full name of second joint inventor (given name, family name) Walter T.M. Stals

Inventor's signature

Date

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Full name of third joint inventor (given name, family name) Jacobus J.T.T. Vermeijlen

Inventor's signature

Date

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☐ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/202A or 02LR attached hereto.

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Docket Number (Optional)  
P266945-WIT/P56129UG00

## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) \_\_\_\_\_ Registration Number \_\_\_\_\_  
The practitioners associated with Customer Number 00900

Correspondence Address: Direct all communications about the application to:

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00900

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Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Thomas Wilhelmus Engelen

Inventor's signature

Date

Residence

Utrecht, THE NETHERLANDS

Citizenship

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Mailing Address

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Full name of second joint inventor (given name, family name)

Walter T.M. Stals

Inventor's signature

Date

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Full name of third joint inventor (given name, family name)

Jacobus J.T.T. Vormolijn

Inventor's signature

Date

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☐ Additional joint inventors or legal representatives are named on separately numbered sheets forms PTO/SB/07A or 02LR attached hereto.

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Docket Number (Optional)  
P266245-W11/P58129US00

## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) \_\_\_\_\_ Registration Number \_\_\_\_\_  
The practitioners associated with Customer Number 00909

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

00909

Place Customer Number Bar  
Code Label here

Type Customer Number here

☐ Firm or  
Individual Name

Address

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State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name) Thomas Wilhelmus Engelen

Inventor's signature

Date

Residence  
Utrecht, THE NETHERLANDS

Citizenship

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Mailing Address

Turkooislaan 70, Utrecht, The Netherlands, NL-3523 GN

Full name of second joint inventor (given name, family name)

Walter T.M. Stals

Inventor's signature

Date

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Full name of third joint inventor (given name, family name)

Jacobus J.T.T. Vermeljen

Inventor's signature

Date

5-6-'03

Residence  
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Citizenship

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Mailing Address

Rubensstraat 8, Eindhoven, The Netherlands, NL-5613 JT

☐ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/5052A or 02UR attached hereto